

REMARKS

The above referenced application was originally filed via the Office electronic filing system and included the electronic copy of a file having the filename "38-21(15546)Nov 13 2003.st25.txt". This application was filed along with a non-publication request. However, the Applicant can view the image file wrapper through the USPTO Private Pair web link, and readily identifies that the Sequence Listing was received by the Office, on November 17 2003 (the filing date accorded to the application), and is posted on Private Pair. Therefore, the Office received the electronic computer readable form of the Sequence Listing, AND has a physical copy of the Sequence Listing in both PDF format and electronically, and can produce a paper copy of the Sequence Listing by sending the PDF version through a printer print cue.

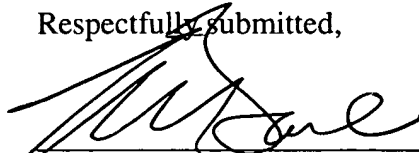
Nevertheless, the same file, which was created on November 13, 2003 and since unedited, is herewith provided, AGAIN, to the Office in electronic format as the computer readable form (CRF) version of the Sequence Listing on a 3.5 inch computer readable diskette, the file being in ASCII text format prepared on a MS-DOS/Microsoft Windows 2000 Personal Computer Operating System, AND also provided in paper format, merely in order to comply with the requirements of 37 CFR 1.821 -1.825. This will of course necessitate that the Office now physically manipulate and manage at least two additional separate items, a paper copy AND an electronic copy of the Sequence Listing, (1) which are both the same, and (2) which are the same as the earlier filed version submitted via the Office electronic filing system.

With all due respect, except to satisfy the requirements of 37 CFR 1.821-1.825, all of these requirements are antiquated, redundant, and unnecessary. It is remarkable that the Office in this day and age is incapable of utilizing the Office electronic filing system to its fullest advantage, eliminating the superfluous machine readable CRF or CD-ROM diskette copies of electronic files such as the Sequence Listing, without having to burden both the Applicant and the Office with these requirements. Perhaps the Commissioner could consider amending the rules to eliminate the requirement for providing a diskette containing the Sequence Listing in the event that the Applicant files the application along with the electronic form of the Sequence Listing via the Office electronic filing system.

As indicated above, the Applicant hereby states that the content of the paper and computer readable copies of the Sequence Listing submitted under 37 C.F.R. §1.821(c) and (e), respectively, are the same.

Please incorporate the Sequence Listing in its entirety into the subject application referenced above. I hereby state that the submission, filed in accordance with 37 CFR 1.821(g), herein does not include new matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Timothy K. Ball', is written over a horizontal line.

Timothy K. Ball, Ph.D., Esq.

Reg. No. 42,287

Monsanto Company

800 North Lindbergh Boulevard

Mail Zone E2NA

St. Louis, Missouri 63167

(314) 694-5811 (phone)

(314) 694-5311 (facsimile)